

18334 U.S. PTO  
100103

PATENT  
Attorney Docket 057971-5006US

22278 U.S. PTO  
10/674395  
10/01/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner of Patents and Trademarks  
U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window, **Mail Stop Patent Application**  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

**TRANSMITTAL FOR A NEWLY EXECUTED ORIGINAL  
APPLICATION UNDER 37 C.F.R. § 1.53(b)**

This is a request for filing a patent application under 37 C.F.R. 1.53(b) for:

Inventors: 1. Margherita T. Cantorna, State College, PA  
2. Avery August, State College, PA  
3. John P. Vanden Heuvel, Port Matilda, PA

For: **PPAR- $\gamma$  Ligands in the Treatment of Asthma and Allergies**

1. This is a new Utility patent application.
2. The papers enclosed to obtain a filing date are as follows:

43 Pages of Specification including  
36 Pages of Description  
06 Pages of Claims  
01 Page of Abstract  
02 Sheets of Drawings (Figures 1 and 2)

3. Combined Declaration and Power of Attorney: Not Enclosed - this application is being filed under the provisions of 37 C.F.R. § 1.53(f). Applicants await notification from the U.S. Patent and Trademark Office of the time set for filing the Declaration.
4. Language: English
5. Priority based on provisional applications - 35 U.S.C. § 119(e): Priority of the following provisional application is claimed:

Application No.	Filed
60/415,452	October 1, 2002
60/418,818	October 11, 2002

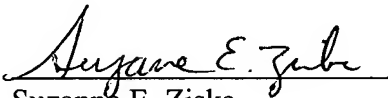
6. Fee Calculation (37 C.F.R. § 1.16):

CLAIMS FOR FEE CALCULATION				
	Number Filed	Number Extra	Rate	Basic Fee: \$770.00
Total Claims	49	29	\$18 each	522.00
Independent Claims	5	2	\$86 each	172.00
First presentation of Multiple Dependent Claim			\$290.00	0.00
Sub-Total				\$1,464.00
Reduction by ½ for filing by a small entity				-732.00
Total Fee =				\$732.00

7. Fee Payment: The Commission is hereby authorized to charge **\$732.00** to Deposit Account 50-0310 for payment of the application filing fee (\$385.00), the excess total claims fee (\$261.00) and the excess independent claims fee (\$86.00) all at the small entity rate.
8. **Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and § 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **Constructive Petition for Extension of Time** in accordance with 37 C.F.R. § 1.136(a)(3).
9. Please accord this application an application number and filing date.

Dated: **October 1, 2003**  
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Respectfully submitted  
**Morgan, Lewis & Bockius LLP**

  
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